IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15000 of 2005

Between:

B. Seethamma, W/o. Late Ramachandra Raju,
Kothuru Tadepalli, Vijaywada Rural

..... PETITIONER

AND

1 The District Collector, Krishna at Machilipatnam.
2 The Mandal Revenue Officer, Vijaywada Rural Mandal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or direction or order more specifically a writ of Mandamus declaring the action of the 2nd respondent in entering and to dispossess the petitioner from the land to the extent of 0.80 cts. in Sy.No. 104 of Vemavaram Village, Kothuru Tadepalli Village and Gram Panchayat, Vijaywada Rural is illegal, arbitrary and violation of right guaranteed under article 21 of the Constitution of India. Consequently direct the 1st respondent to consider and dispose off the petitioner's representation dt. 12-5-2005 and grant infavour of the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.S.VARMA

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

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ORAL ORDER

The petitioner filed the present writ petition seeking to declare the action of the 2nd respondent in entering and dispossessing the petitioner from the land to an extent of Ac.0.80 cents in Sy.No.104 of Vemavaram village, Kothuru Tadepalli Village and Gram Panchayat, Vijayawada Rural, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The contention of the petitioner in this writ petition is that she has been in possession and enjoyment of the land to an extent of Ac.0.80 cents in Sy.No.104 of Vemavaram village of Kothuru Tadepalli Gram Panchayat in vijayawada Rural Mandal. She has been paying the land tax to the Gram Panchayat concerned. While the matter stood thus, the local political leaders put the pressure on the 2nd respondent to evict her from the possession of the said land. Having came to the know the above said fact she made a representation dated 12-05-2005 to the 1st respondent requesting not to dispossess her from the said land in question and also for issuance of *patta* in her favour. But the 1st respondent did not initiate any action on her representation, is the main grievance in this writ petition.

Considering the above facts and circumstances of the case, the writ petition is disposed of with a direction to the 1st respondent to dispose of the petitioner's representation dated 12-05-2005 within eight (8) weeks after receipt of a copy of this Order, according to law and after affording an opportunity to the effected parties. Till such decision is taken, the 1st respondent is directed not to evict the petitioner from the land in question. In the circumstances there shall be no order as to costs.

ELIPE DHARMA RAO,J

12TH JULY 2005

NOTE:

Operative

potion by

wire at

party's cost.

(B/O)

*TSNR

To

1 The District Collector, Krishna at Machilipatnam.

2 The Mandal Revenue Officer, Vijaywada Rural Mandal.

3. Two CCS to G.P for Revenue, High Court Buildings, Hyderabad(OUT)

4. Two C.D.Copies.